

Release  
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## **SUMMARY OF CASES ACCEPTED DURING THE WEEK OF APRIL 13, 1998**

[This news release is issued to inform the public and the press of cases that the Supreme Court has accepted and of their general subject matter. The description or descriptions set out below do not necessarily reflect the view of the court, or define the specific issues that will be addressed by the court.]

#98-43 People v. Barra, S067779. (A076392; 60 Cal.App.4th 828.)  
Petition for review after the Court of Appeal affirmed judgments of conviction of criminal offenses. This case presents an issue, concerning the application of term doubling to a second strike defendant convicted of a crime punishable by a life sentence, which is related to an issue before the court in People v. Jefferson, S057834. (See #97-31.)

#98-44 People v. Becerra, S068191. (C025528.) Unpublished opinion.  
Petition for review after the Court of Appeal affirmed a judgment of conviction of criminal offenses. This case presents issues, concerning the admissibility of DNA evidence, which are related to issues before the court in People v. Soto, S044043 (see #95-35).

#98-45 People v. Duarte, S068162. (B104672; 60 Cal.App.4th 1027.)  
Petition for review after the Court of Appeal reversed a judgment of conviction of criminal offenses. The case concerns whether declarations against interest are a “firmly-rooted” hearsay exception for confrontation clause purposes and whether

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an accomplice's redacted extrajudicial statements were sufficiently reliable to be admitted under the confrontation clause and Evidence Code section 1230.

#98-46 Erlich v. Menezes, S068325. (B105675; 60 Cal.App.4th 1357.)  
Petition for review after the Court of Appeal affirmed the judgment in a civil action. This case concerns whether damages for emotional distress can be recovered in an action for negligent construction of a house.

#98-47 People v. Franklin, S068112. (B109817; 60 Cal.App.4th 1377.)  
Petition for review after the Court of Appeal affirmed a judgment of conviction of criminal offenses. This case concerns whether the provisions of Penal Code section 290 require a sex offender to notify authorities of his change of address upon his permanent departure from the state.

#98-48 Landau v. Superior Court, S068095. (A075251, A075493; 60 Cal.App.4th 940.) Petition for review after the Court of Appeal dismissed an appeal and denied a petition for peremptory writ of mandate. This case presents an issue, concerning whether the Legislature may limit review of a superior court judgment upholding the administrative revocation of a medical license to review in the Court of Appeal by extraordinary writ, which is related to an issue before the court in Leone v. Medical Board, S065485. (#97-201.)

## **DISPOSITIONS**

#97-139 In re Estate of Condon, S063364, was transferred to the Court of Appeal for reconsideration in light of Birbrower, Montelbano, Condon & Frank v. Superior Court, 17 Cal.4th 119.

#97-155 People v. Harbolt, S063658, was dismissed and remanded to the Court of Appeal. The Court of Appeal opinion, previously ordered republished and now printed at 61 Cal.App.4th 123, was ordered to remain published.